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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/031,517	05/13/2002	Jens Ehrke	10191/2201	6349
26646	7590	10/30/2006	EXAMINER	
KENYON & KENYON LLP ONE BROADWAY NEW YORK, NY 10004			WOZNIAK, JAMES S	
			ART UNIT	PAPER NUMBER
			2626	

DATE MAILED: 10/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/031,517

Applicant(s)

EHRKE, JENS

Examiner

James S. Wozniak

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14, 18 and 19 is/are allowed.
- 6) ☒ Claim(s) 10-13 and 15-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. In response to the office action from 5/16/2006, the applicant has submitted an amendment, filed 8/11/2006, amending claims 10, 14, and 18, while arguing to traverse the art rejection based on the amended limitations (*Amendment, Pages 5-6*). The applicant's arguments have been fully considered, however, with respect to claims 10-13 and 15-17 are moot with respect to the new grounds of rejection in view of Comer et al (*U.S. Patent: 5,845,300*). Additionally, in response to the amendment, claims 14 and 18-19 are allowable over the prior art of record for the below given reasons.

Response to Arguments

2. Applicant's arguments have been fully considered but they are not persuasive for the following reasons:

With respect to **Claim 10**, the applicant argues that Rühl (*U.S. Patent: 6,108,631*) fails to teach displaying a selectable name as a function of a selection probability, stating that Rühl instead teaches that the selection probability is used only in searching (*Amendment, Page 6*). In response, the examiner notes that while Rühl does use likelihood sorting in a searching process, the search effectively determines which suggestions are provided to a user display (*Col. 6, Line*

42- Col. 7, Line 17). Therefore, the displayed suggestions in Rühl are effectively a function of the likelihood sorting criterion.

The applicant further argues that Rühl teaches away from the presently claimed invention because he does not teach the output of a selection suggestion based on a partially-entered name (*Amendment, Page 6*). In response, the examiner points out that Rühl does teach that a user may receive a suggestion for a partially input location name (*partly entered (terminated) location name, Col. 4, Lines 49-59*). Thus, since Rühl specifically indicates that a user may receive a suggestion for a partly entered location name, Rühl does not teach away from the presently claimed invention.

The applicant's arguments with respect to the amended features of claim 10 (*Amendment, Page 6*) have been fully considered, but are moot with respect to the new grounds of rejection in view of Rühl (*U.S. Patent: 6,108,631*) and Comer et al (*U.S. Patent: 5,845,300*).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 10-13 and 15-17** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rühl (*U.S. Patent: 6,108,631*) in view of Comer et al (*U.S. Patent: 5,845,300*).

With respect to **Claims 10**, Rühl discloses:

A storage unit for sorting names of at least one category of geographic information (navigation data memory, Col. 3, Lines 14-26; and Col. 6, Lines 17-35);

An input unit for selecting a name (*keyboard, microphone, or trackball, Col. 3, Lines 27-43; Col. 4, Lines 33-59; and Col. 5, Lines 36-47*);

A display unit for supporting an entry (*display device, Col. 3, Lines 44-49; and Col. 4, Lines 33-59*); and

A control unit for causing a selectable name to be displayed as a suggestion on the display unit as a function of a specified sorting criterion for the stored names of a category and as a function of earlier entries for the selection of the name to be entered (*displaying a list of possible locations on a display, Col. 4, Lines 33-59; and frequency sorting criterion based on most frequently used locations and population, Col. 6, Line 15- Col. 7, Line 7; Col. 1, Line 47- Col. 2, Line 17*),

Wherein a selection probability of the names is used as a sorting criterion in the control unit (*likelihood sorting criterion, Col. 1, Line 47- Col. 2, Line 17; and Col. 6, Line 15- Col. 7, Line 7*), and

Wherein at least one of (a) at least one statistically collected information item and (b) an information item recorded by measurement concerning local characteristics of an area designated by a name is used as a measure for the selection probability (*sorting criterion based on the population of a specific location, Col. 6, Line 15- Col. 7, Line 7; Col. 1, Line 47- Col. 2, Line 17*).

Rühl further notes the ability of a user to input a partial name input (*partly terminated input, Col. 4, Lines 50-59*).

Rühl does not specifically suggest the ability of a user to decline a first completed input suggestion in response to a partially input character string and enter a second character to receive a second completed input suggestion. The examiner notes, however, that such an ability is well known in the text processing art, as is evidenced by the Comer reference (*Col. 11, Lines 1-32; and Fig. 5*).

Rühl and Comer are analogous art because they are from a similar field of endeavor in text processing systems utilizing entry completion. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Rühl with the partial entry completion means taught by Comer in order to provide a means for dynamically generating a list of suggested completions (*Comer, Col. 2, Lines 50-54; and Col. 3, Lines 16-24*).

With respect to **Claim 11**, Rühl discloses:

A population of a country designated by a country name is used as a measure of the selection probability of a country name (*population of regions or locations, such as a country, used for sorting a list of such regions, Col. 6, Lines 17-35*).

With respect to **Claim 12**, Rühl discloses:

A population of one of a city and a town designated by the name is used as a measure of the selection probability of one of a city and town name (*population-based search of a location as a city or town, Col. 2, Lines 27-42*).

With respect to **Claim 13**, Rühl discloses:

A number of residents designated by a street name is used as a measure of the selection probability of a street name (*population-based search of a location as a street, Col. 2, Lines 27-42*).

With respect to **Claim 15**, Rühl discloses:

The input unit contains input elements that are operated multiple times in succession without operation other input elements to enter a character assigned to an input element *(use of only keyboard or speech recognizer elements multiple times in succession to enter characters in a navigation system application, Col. 4, Lines 23-32; and Col. 5, Lines 48-67)*.

With respect to **Claim 16**, Rühl discloses:

The input unit contains at least one input element operated in order to select one of a character to be entered and a name from a list of names, the input unit containing at least one additional input element using which the selection of one of the character and the name is confirmed *(keyboard containing direction and acknowledgement keys, Col. 1, Lines 11-29; and Col. 4, Lines 23-32)*.

With respect to **Claim 17**, Rühl discloses:

The sorting criterion is selectable, names being sorted alphabetically according to a different sorting criterion *(selectable frequency criteria that also utilize alphabetical sorting, Col. 2, Lines 147-26; and Col. 6, Lines 17-35)*.

Allowable Subject Matter

5. **Claims 14 and 18-19** are allowable over the prior art of record.

The following is an examiner's statement of reasons for allowance:

With respect to **Claims 14 and 18**, the prior art of record fails to explicitly teach or fairly suggest a motor vehicle navigation system that displays a suggested list of locations on a display

device in response to a partial user input based on a statistic selection probability criterion, wherein at least one of the following from a group consisting of: (a) number of hotels, (b) the size of hotels, (c) a number of offices, (d) a number of train stations, and (e) a number of airports within an area is utilized as a measure for the selection probability.

Although Rühl discloses a vehicle navigation system that displays a suggested list of locations based on a criterion, as noted above, Rühl does not utilize (a) number of hotels, (b) the size of hotels, (c) a number of offices, (d) a number of train stations, and (e) a number of airports within an area as such a criterion.

Claim 19 further limits an allowable independent claim, and thus, is also allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**


MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S. Wozniak whose telephone number is (571) 272-7632. The examiner can normally be reached on M-Th, 7:30-5:00, F, 7:30-4, Off Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached at (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James S. Wozniak
9/27/2006



DAVID HUDSPETH
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